

BOARD OF APPEALS  
for  
MONTGOMERY COUNTY  
Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850  
(240)-777-6700

Case No. S-420-G

**PETITION OF HOLY CROSS HOSPITAL OF SILVER SPRING, INC.**

OPINION OF THE BOARD

(Hearing held Wednesday, July 17, 2002)  
(Effective date of Opinion: September 20, 2002)

Case No. S-420-G is a petition by Holy Cross Hospital of Silver Spring, Inc. ("Holy Cross") for a modification to an existing special exception for a hospital pursuant to Section 59-G-2.24 of the Zoning Ordinance. This modification proposes (i) a decrease in the total surface area of the campus buildings, (ii) a slight increase in the total building square footage, (iii) an additional entrance/exit point for the southwest parking structure, (iv) the relocation of three emergency generators (v) the shift of a portion of easterly access driveway westerly, and (vi) a minor reconfiguration of the rear ambulance driveway leading to the Emergency Department.

Pursuant to Section 59-A-4.11(a) of the Montgomery County Zoning Ordinance, the Board of Appeals held a public hearing on this Petitioner on July 17, 2002. Robert G. Brewer, Jr., Esquire appeared on behalf of the Petitioner. Mr. Brewer called the following witnesses: (1) Cornelius McKelvey, Senior Vice President of Holy Cross, (ii) Phillip Tobey, an architect with the firm of Smith Group Incorporated, (iii) Philip E. Perrine, a land planner with the firm of Perrine Planning & Zoning, (iv) Kevin Mack, a landscape architect with the firm of Dewberry & Davis, LLC, and (v) Craig Hedberg, a transportation planner with the firm of Integrated Transportation Solutions, Inc. Ronald Mijan, a civil engineer with the firm of Dewberry & Davis, LLC, was available as a witness, but did not testify.

Two members of the public, Ms. Margot Cook and Ms. Cheryl Eustitus, were present at the hearing and testified. No letters of opposition were submitted, although Mr. John Diamante, on behalf of the Forest Grove Citizens Association, submitted a letter dated July 12, 2002, indicating that any concerns that the Association had relating to noise from the operation of the emergency generators would be sufficiently mitigated by incorporation of the recommendations of the acoustic consultants regarding maintenance and testing for the generators. Martin Klauber, Esquire, the People's

Counsel of Montgomery County, Maryland, participated in the hearing In support of the requested modification as conditioned below.

The subject property is Parcel B, located at 1500 Forest Glen Road, Silver Spring, Maryland, in the R-60 Zone.

Decision of the Board:

Special Exception Modification  
**GRANTED**, subject to conditions  
enumerated below.

EVIDENCE PRESENTED TO THE BOARD:

1. The Petitioner requests certain modifications to the existing special exception as a result of the complex nature of the construction and renovations to the Hospital approved pursuant to Case No. S-420-E (the "Approved Construction"). The modifications proposed are the result of the detailed planning and design processes that have occurred since Case No. S-420-E was approved in May, 2001.
2. Mr. McKelvey testified regarding the increased building square footage. Earlier plans prepared in connection with the Approved Construction contemplated an underground parking garage under the Physicians Specialist Wing ("PS Wing"). Later studies showed that the construction of the underground garage would prove too difficult and costly. Accordingly, adjustments were made to the construction plans, resulting in the removal of the underground garage, which allowed for an increase in the square footage of the building. Mr. McKelvey testified pursuant to Exhibit 19 that the elimination of the parking garage allows the Hospital to relocate the Emergency Department (the "ER") to the lower level of the building, providing for easier access by patients as well as a 6,000 square foot increase in the size of the ER. Mr. McKelvey further stated that the increased size will allow Holy Cross to better service the growing number of patients visiting the ER each year. Fiscal year 2002 ended with approximately 60,000 visits; the ten year projected demand is estimated at 80,000 visits per year.
3. In response to board member Allison Ishihara Fultz's inquiry as to what factors had caused the increase in ER visits, Mr. McKelvey testified that it was likely a result of two main factors: a demographic change in which a growing patient population is without primary care physicians, and the increased use of the ER as a medical clinic for people who are unable to visit the doctor during normal business hours (Exhibit 19).
4. Mr. McKelvey also testified that the relocation of the ER to the lowest level of the PS Wing allows for the design of a new critical care unit (the "CCU") and enables the Hospital to relocate 16 currently licensed beds to the first floor. Although this

does not place all CCU beds in the same location, Mr. McKelvey stated that it does allow for greater efficiency and provides more CCU patients with greater access to the operating rooms, emergency services and diagnostic services (laboratories and x-rays). The new design of the CCU does not add additional beds to the unit; it merely adds additional space (Exhibit 19).

5. The increased square footage also allows for an increase in the square footage of the physician specialist offices. The new space will allow for an additional 7 physicians, 4 full time equivalent physicians, 10 additional staff members, and 40 additional patients. Mr. McKelvey testified that this new space will allow specialist doctors affiliated with the Hospital to attend to out-patients during office hours while keeping in close proximity to patients admitted to the Hospital (Exhibit 19).
6. Mr. McKelvey further testified about the need for an additional entry and exit point for the southwest parking structure. This new entry and exit point will be used by Hospital staff who live east of the Hospital, and will not be constructed until the emergency access drive at the bottom of Dameron Drive is fully closed and grass pavers are reinstalled. The Hospital estimates that this construction will occur in the third quarter of 2002. Mr. McKelvey noted that the emergency access drive will be used only for fire trucks and police vehicles; it is not intended for use by ambulances bringing patients to the ER (Exhibit 19).
7. Mr. McKelvey also testified about the relocation of three emergency generators. The initial proposed location of the generators, inside the existing service building, is now considered too dangerous because of the close proximity to the power substation. Additionally, if located inside the service building, the emergency generators would not receive sufficient ventilation required to function properly. Accordingly, the engineers suggested that the emergency generators be located outside, to the rear of the service building. Mr. McKelvey testified that an acoustical study of the generators was done by Polysonics Corp., an acoustical and communications consulting company. This report showed that the noise level at the nearest residential lot, with all three generators running simultaneously, was calculated at 58 DBA, well below the maximum level allowed by the County. The Polysonics report also recommended that the regularly scheduled maintenance of the units occur on weekdays during daytime hours. Mr. McKelvey testified that the Hospital agreed with this recommendation and plans to test the units approximately once every two weeks between 7:00 a.m. and 8:00 a.m. Mr. McKelvey further testified that the Hospital anticipates a total running time of approximately 56 hours per year, taking into account scheduled testing and emergency use (Exhibit 19). The color of the emergency generators will be dark beige, according to the manufacturer of the generators, Alban.
8. Mr. McKelvey testified about the requested western shift of the easterly access drive. Mr. McKelvey explained that this shift will allow for the preservation of a

greater portion of the scenic easement and will decrease the height of the required retaining walls (Exhibit 19).

9. Mr. McKelvey testified that the Hospital arranged a meeting with community leaders in May of 2002 with regard to these requested modifications, and Mr. McKelvey stated that he believed the Hospital answered all questions posed by the attendees at that time. Mr. McKelvey further stated he knew of no opposition to the modifications.
10. Chairman Spence asked Mr. McKelvey what type of outreach was done in the community to inform neighbors of the status of construction. Mr. McKelvey stated that the Hospital contacts the leaders of each of the four organized neighborhood associations and lets the associations contact the individual neighbors. Mr. McKelvey also testified that in planning all future neighborhood outreach meetings, the Hospital will inform the People's Counsel of potential meeting dates in an effort to ensure his availability.
11. Philip Tobey, testifying as an expert witness in architecture, stated that new elevations have been introduced (Exhibits 21(a) and 21 (b)). Mr. Tobey stated that the revised exhibits reflected a change in the windows of the PS Wing. The change to a ribbon-style window allows the Hospital to receive more natural light. Ms. Fultz inquired as to the materials used for the windows; Mr. Tobey replied that the windows were constructed of pre-cast concrete and glass. (Exhibits 21(a) and 21(b)).
12. Mr. Tobey further testified that the modifications (a) were well related to the surrounding area in siting, landscaping, bulk, height, materials and textures pursuant to Section 59-G-1.23(g) of the Zoning Ordinance, (b) have the exterior appearance of a residential building of a type otherwise permitted and have suitable landscaping, streetscaping, pedestrian circulation and screening as necessary pursuant to Section 59-G-1.26 of the Zoning Ordinance, and (c) do not exceed the building height limit of 145 feet, in accordance with Section 59-G-2.31(6) of the Zoning Ordinance.
13. Mr. Philip Perrine, testifying on behalf of the Petitioner as an expert in land use planning, stated that the current floor area ratio ("FAR") is .76, the FAR approved pursuant to S-420-E is 1.08, and that the FAR under the proposed modification will be approximately 1.11. When asked about the maximum FAR limit for the Hospital, Mr. Perrine and Mr. Brewer replied that there is none.
14. Mr. Perrine concluded that the modifications are permissible within the R-60 zone; are consistent with the Forest Glen Sector Plan; are in harmony with the general character of the neighborhood; will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties; will cause no objectionable noise, vibrations, fumes, odors, dust, illumination, glare or physical activity at the Hospital; will not increase the number, intensity or

scope of special exception uses; will not adversely affect the health, safety, security morals or general welfare of residents, visitors or workers; are served by adequate public services and facilities; are compatible with the development standards of the R-60 zone in terms of maximum lot coverage (all other standards are superseded by requirements imposed upon hospitals); will not constitute a nuisance because of noise or number of patients and will not adversely affect the present character or future development of the surrounding residential area; conform to the minimum total area of 5 acres; conform to the minimum frontage of 200 feet; conform to the minimum setback requirements; conform to the off-street parking requirement; and conform to the building height limit of 145 feet.

15. Mr. Kevin Mack, testifying on behalf of the Petitioner as an expert witness in landscape architecture, described the location of the scenic easement. He submitted a second revised Site Comparison (Exhibit 22). Ms. Fultz asked Mr. Mack to describe the proposed screening of the retaining wall. Mr. Mack testified about the landscaping around the area, and noted that numerous trees and bushes will be planted in the area in an attempt to ultimately shield most of the wall from view. Mr. Mack also testified that the wall will be painted an earth-tone color in an attempt to make the wall blend in with the natural surroundings. Mr. Klauber asked Mr. Mack about the use of the grassy area adjacent to the retaining wall and the Hospital's property; Mr. Mack replied that while it could theoretically be used for some type of activity, it is generally not used by the public, and currently is used as the site to store material and machines utilized in connection with the renovation work being done on Route I-495 (Exhibit 22).
16. Mr. Mack concluded that the modifications are in compliance with all relevant parking requirements; are in compliance with all forest conservation plans; are in compliance with all lighting requirements; and are in compliance with Section 59-F, the Sign Ordinance. Chairman Spence questioned Mr. Mack about compliance with the required lighting levels along the side and rear lot lines. Mr. Mack and Mr. Brewer submitted a revised lighting plan (Exhibit 23) to demonstrate compliance.
17. In response to an inquiry from the Chairman, Mr. Brewer stated that no signage plans of a quality necessary for submission had been prepared. The Chairman suggested that the signage request be removed from the application and be heard separately. Mr. McKelvey agreed on behalf of the Hospital to remove the signage plan from the current submission.
18. Mr. Craig Hedberg testified on behalf of the petitioner as an expert in transportation planning. Mr. Hedberg stated that the modifications relating to transportation are in harmony with the general character of the neighborhood considering traffic and parking conditions; are served by adequate public services and facilities relating to public roads; and will not constitute a nuisance because of traffic.

19. Ms. Margot Cook, an officer of the Forest Grove Citizens Association and a neighbor of the Hospital residing at 1603 Myrtle Road, testified that she was very happy with the communications between the Hospital and the neighborhood. Ms. Cook also testified that she hoped there would be adequate landscaping in the front of the Hospital.
20. Subsequent to Ms. Cook's testimony, Vice Chairman Barron suggested the establishment of a community liaison committee that would meet at six month intervals. Ms. Cook agreed with the Vice Chairman that the regularity of such a meeting would prove a good resource for both the Hospital and the neighbors. When Mr. McKelvey was questioned about the establishment of such a committee, he also agreed that it would prove beneficial for all parties.
21. Ms. Cheryl Gustitus, a neighbor of Holy Cross residing at 1515 Forest Glen Road, also testified at the hearing and thanked the Board for acknowledging that all neighbors may not be informed through the typical neighborhood associations.
22. Mr. Klauber stated that the nature and relatively small amount of requested modifications reflected Holy Cross' excellent job in preparing for the approved construction and urged the Board to approve the requested modification.

## FINDINGS OF THE BOARD

The Board finds that the requested modifications comply with the specific standards and requirements set forth for the proposed modified use in Section 59-G-2.31, specifically:

Section 59-G-2.31. Hospitals.

*A hospital or sanitarium building may be allowed, upon a finding by the board that such use will not constitute a nuisance because of traffic, noise or number of patients or persons being cared for; that such use will not affect adversely the present character or future development of the surrounding residential community; and if the lot, parcel or tract of land on which the buildings to be used by such institution are located conforms to the following minimum requirements; except, that In the C-2 and C-O zones, the minimum area and frontage requirements shall not apply:*

The proposed modifications are to an existing and approved hospital special exception use, are consistent with the Forest Glen Sector Plan, and enhance the use within the immediate community. Further, the proposed modifications do not add any beds to the hospital and there is no adverse traffic impact.

- (1) **Minimum area.** Total area, 5 acres.

The entire site comprises approximately 14.21 acres of land.

(2) **Minimum frontage.** *Frontage, 200 feet*

The existing use is a corner lot with frontage on Forest Glen Road of approximately 810 feet and frontage on Dameron Drive of approximately 756 feet. These frontage distances satisfy the setback.

(3) **Setback.** *No portion of a building shall be nearer to the lot line than a distance equal to the height of that portion of the building, where the adjoining or nearest adjacent land is zoned single-family detached residential or is used solely for single-family detached residences, and in all other cases not less than 50 feet from a lot line.*

The Physician's Specialist Wing will be located approximately 100 feet from the eastern property line adjacent to Sligo Creek park, which is zoned R-60 and is developed as parkland. The expanded concourse will be 2 stories high and 105 feet from the property line along Dameron Drive. Both of these setbacks satisfy the requirement.

(4) **Off-street parking.** *Off-street parking shall be located so as to achieve a maximum of coordination between the proposed development and the surrounding uses and a maximum of safety, convenience and amenity for the residents of neighboring areas. Parking shall be limited to a minimum in the front yard. Subject to prior board approval, a hospital may charge a reasonable fee for the use of off-street parking. Green area shall be located so as to maximize landscaping features, screening for the residents of neighboring areas and to achieve a general effect of openness.*

The proposed parking is off-street and on-site and is located in the eastern side yard. The Hospital, as proposed, will required 1,346 parking spaces. The total of parking spaces available after the proposed modifications are implemented will total 1,578.

(5) **Commission recommendation.** *The board or applicant shall request a recommendation from the commission with respect to a site plan, submitted by the applicant, achieving and conforming to the objectives and requirements of this subsection for off street parking and green area.*

The Planning Board has provided a recommendation that the site plan achieves and conforms to the objectives and requirements for off-street parking and green area.

(6) **Building height limit.** *Building height limit, 145 feet.*

The maximum height of the building is 122 feet. This will not change under the proposed modifications.

- (7) **Prerequisite.** *A resolution by the health services planning board approving the establishment of the hospital shall be filed with the petition for a special exception.*

Not applicable.

### **Sec. 59-G-1.2. Conditions for Granting a Special Exception.**

*59-G-1.2.1. Standard for evaluation. A special exception must not be granted absent the findings required by this Article. In making these findings, the Board of Appeals, Hearing Examiner or District Council, as the case may be, must consider the inherent and non-inherent adverse effects of the use on nearby properties and the general neighborhood at the proposed location, irrespective of adverse effects the use might have if established elsewhere in the zone. Inherent adverse effects are the physical and operational characteristics necessarily associated with the particular use, regardless of its physical size or scale of operations. Inherent adverse effects alone are not a sufficient basis for denial of a special exception. Non-inherent adverse effects are physical and operational characteristics not necessarily associated with the particular use, or adverse effects created by unusual characteristics of the site. Non-inherent adverse effects, alone or in conjunction with the inherent effects, are a sufficient basis to deny a special exception.*

The Board finds that there are no additional inherent and non-inherent adverse effects of the Hospital pursuant to this request for modification.

#### **59-G-1.21. General Conditions.**

(a) *A special exception may be granted when the Board, the Hearing Examiner, or the District Council, as the case may be, finds from a preponderance of the evidence of record that the proposed use:*

- (1) *Is a permissible special exception in the zone.*

The property is zoned R-60, which permits a hospital by special exception and thus the requested modifications are a permissible special exception in the zone.

- (2) *Complies with the standards and requirements set forth for the use in Division 59-G-2. The fact that a proposed use complies with all specific standards and requirements to grant a special exception does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require a special exception to be granted.*

The requested modifications comply with the specific standards for hospitals set forth in 59-G-2.31.



- (3) *Will be consistent with the general plan for the physical development of the District, including any master plan adopted by the commission. Any decision to grant or deny special exception must be consistent with any recommendation in an approved and adopted master plan regarding the appropriateness of a special exception at a particular location. If the Planning Board or the Board's technical staff in its report on a special exception concludes that granting a particular special exception at a particular location would be inconsistent with the land use objectives of the applicable master plan, a decision to grant the special exception must include specific findings as to master plan consistency.*

The requested modifications are consistent with the General Plan for the physical development of Montgomery County. The 1996 Forest Glen Sector Plan specifically provides for the continuation of a hospital use on this site, and provides flexibility for the Hospital to make modifications to meet changing health care needs of the community. The modification expansion of the Hospital is limited to the existing campus, consistent with the Sector Plan.

- (4) *Will be in harmony with .the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions, and number of similar uses.*

The requested modifications will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses. The requested modifications and additions to the existing Hospital will blend with the existing design, scale and bulk of the existing structure and will not distract from the present appearance of the Hospital.

- (5) *Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood at the subject site, irrespective of any adverse effects the use might have if established elsewhere In the zone.*
- (6) *Will cause no objectionable noise, vibrations, fumes, odors, dust, illumination, glare or physical activity at the subject site, irrespective of any adverse effects the use might have if established elsewhere In the zone.*

The requested modifications will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity. The requested modifications will enhance the Hospital's ability to continue providing the community with accessible quality health care. No adverse impact will occur as a result of the requested modifications, nor will the proposed construction be detrimental to the use and enjoyment of surrounding properties in any respect. In

addition, there has been no detrimental effect on the economic value of surrounding homes from the operation of the Hospital.

- (7) *Will not, when evaluated in conjunction with existing and approved special exceptions in any neighboring one-family residential area, increase the number, intensity, or scope of special exception uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area. Special exception uses that are consistent with the recommendation of a master or sector plan do not alter the nature of an area.*

When the requested modifications are evaluated in conjunction with existing and approved special exceptions in the neighboring one-family residential area, the requested modifications do not increase the number, intensity or scope of special exception uses sufficiently to affect the area adversely or alter its predominantly residential nature. Further, the requested modifications to the special exception use as a hospital are in accordance with the recommendations of the Forest Glen Sector Plan.

- (8) *Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.*

The requested modifications do not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area, irrespective of adverse effects the use might have if established elsewhere in the zone. The requested modifications will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area, but instead will positively benefit their respective health, safety and general welfare by ensuring modern and effective health care.

- (9) *Will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer public roads, storm drainage and other public facilities.*

The Board finds that the proposed modifications will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities. There is existing telephone, electric, natural gas, water and sanitary sewer services adjacent to and available to serve the Hospital and the proposed modifications. Other public services and utilities are also available to the site, including police and fire services. The Board notes that adequate public services have served this site for many years and the modifications will not require additional services.

Accordingly, the Board grants the requested modifications of this special exception, subject to the following conditions:

1. Petitioner shall be bound by its testimony and exhibits of record, the testimony of its witnesses and representations of its attorney, to the extent that such evidence and representations are identified in the Board's opinion granting the special exception.
2. All terms and conditions of the Approved Construction, approved pursuant to S-420-E, remain in full force and effect unless modified by the terms and conditions set forth herein.
3. The expansion of the Physician Specialists Wing is limited to 71,627 square feet and the hospital facility expansion is limited to the proposed 216,153 square feet.
4. The Petitioner must participate with Centrex Homes, developer of Belvedere Glen, to modify the lane striping and signal phasing for both Forest Glen Road approaches to its intersection with Georgia Avenue. Modify the eastbound approach from the existing one left/through lane, one through lane and one right-turn lane to one left turn lane, one through lane, and one right-turn lane. Modify the westbound approach from the existing one left-turn lane, one left/through lane, and one through/right lane to two left turn lanes, and one through/right lane. Replace the split phase for eastbound and westbound approaches with a concurrent phase.
5. The Petitioner will construct an internal entrance/exit access point at the rear of the site connecting to the Dameron Drive parking garage. Construction of this internal entrance/exit point is to be undertaken when the emergency access at the bottom of Dameron Drive is completely closed and grass pavers are reinstalled.
6. The Petitioner must revise development data by submitting a revised Overall Site Plan (currently Exhibit 4(b)) to reflect (a) setbacks of 55 feet from I-495 and 100 feet from Sligo Creek, and (b) a revised parking count numbering 1,602 spaces.
7. The Petitioner must obtain the approval of a park permit from the Park Design and Development Division for any work in the scenic easement, prior to issuance of any other construction permits. The park permit application shall be accompanied by detailed construction drawings including retaining wall details, details on the parking barrier, and a landscape plan. The landscaping plan must include erosion control and naturalizing plant material on the two-to-one slopes. Provide significant tree screening and any replacement fencing, and show as designated a no-mowing area. The park permit must also address the finish material of the retaining wall subject to final approval of samples or photographs by M-NCPPC when the park permit is reviewed.
8. The Petitioner must maintain the replanted scenic easement. The Petitioner's responsibility is to establish and maintain over time a uniform stand of ground cover on the slope.

9. The Petitioner must construct a continuation of the Forest Glen Road curb into Sligo Creek Park property from its present limit and reconstruct the asphalt path connection to the existing concrete sidewalk per park staff approval.
10. A neighborhood liaison committee shall be established, in which the People's Counsel shall serve ex-officio. The committee shall meet semi-annually or more often if so requested by any of the existing neighborhood associations.
11. The Petitioner shall schedule maintenance of the generators approximately bi-weekly on weekdays during the hours of 7:00 a.m. and 8:00 a.m. If required to be maintained or tested at night, only one such generator may be operated at a time, except in the event of an emergency.
12. The Petitioner shall obtain the approval of the Board with respect to the location and design of its signage prior to installation.

On a motion by, Donna L. Barron, Vice Chairman, seconded by Louise L. Mayer, with Angelo M. Caputo, Allison Ishihara Fultz, and Donald H. Spence, Jr., Chairman, in agreement, the Board adopted the following Resolution:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland, that the opinion stated above is adopted as the Resolution required by law as its decision on the above-entitled case.

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Donald H. Spence, Jr., Chairman,  
Montgomery County Board of Appeals

Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 20<sup>th</sup> day of September, 2002

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Katherine Freeman  
Executive Secretary to the Board

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County in accordance with the Maryland Rules of Procedure.

See Section 59-A-4.53 of the Zoning Ordinance regarding the twenty-four month period within which the special exception granted by the Board must be exercised.